

**From:** Bryan J Pesta  
**To:** Cheryl M Bracken; Elizabeth A Lehfeldt; Robert E Ingersoll; Birch P Browning; Eric S Allard; Debbie K Jackson; Stephanie L Kent; Andrew H Resnick; Laura J Bloomberg  
**Subject:** Re: Ad Hoc Committee Agenda  
**Date:** Friday, January 28, 2022 10:05:36 AM  
**Attachments:** Slides.pptx

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Dear all,

Thank you for your time today.

I'm not sure this is critical, but attached is the PowerPoint I was unable to share (i.e., my opening statement).

Sincerely,

Bryan

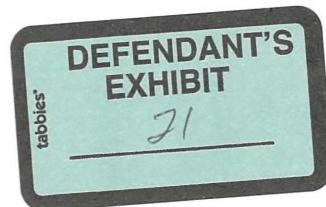
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**From:** Cheryl M Bracken <c.bracken@csuohio.edu>  
**Sent:** Thursday, January 27, 2022 5:20 PM  
**To:** Elizabeth A Lehfeldt <e.lehfeldt@csuohio.edu>; Robert E Ingersoll <r.ingersoll@csuohio.edu>; Birch P Browning <b.browning@csuohio.edu>; Eric S Allard <e.s.allard@csuohio.edu>; Debbie K Jackson <d.jackson1@csuohio.edu>; Stephanie L Kent <s.l.kent59@csuohio.edu>; Andrew H Resnick <a.resnick@csuohio.edu>; Laura J Bloomberg <laura.bloomberg@csuohio.edu>; Bryan J Pesta <b.pesta@csuohio.edu>  
**Subject:** Ad Hoc Committee Agenda

Hello everyone.

We are scheduled to meet tomorrow morning at 9 am in PH 103.  
I have attached the agenda for the meeting.

Best,  
Cheryl



Dear Committee Members:

I appreciate your time and service

# About me

- I sincerely regret what has happened
- I have had a lifelong presence at CSU (1986); my kids are even students here
  - Many colleagues chose to send their kids elsewhere
  - This plus my seniority shows my dedication to the university
  - I have been awarded research merit pay many times, despite my controversial research (spanning back to 2008)

# CSU has simply not met its burden

- The key problem:
  - The complexity of my case makes it easy to misperceive what happened, and the misperceptions make me look guilty
- Regarding the four remaining academic misconduct charges against me
- I believe I have proved my innocence (although the burden is not on me)
- There is **no** clear, convincing evidence of my **intent** to commit academic misconduct

# The National Institute of Health

- NIH issues are so trivial here that NIH took 18 months to respond to my email re their initial complaint.
- If what I supposedly did is worth my termination, why didn't NIH immediately suspend my data access in fall 2019?
- Moreover:
  - My applications clearly featured “intelligence” as a variable of interest
    - John never touched data unless authorized to do so
    - NIH never said John couldn’t publish newer research
      - Note: I am not even an author on this newer research!

# The External Imputation Server

- I admit to uploading some genetic data here without prior approval
- But I did not do so with the intent to deceive (and toward what end?)
- Regarding harm, other prominent researchers have uploaded to this site
- My upload did not remotely harm the research participants

# CSU Institutional Review Board

- The committee's IRB arguments here are frankly inane
- I did not know that others would claim I needed IRB until years after Lasker et al. was published
- NIH approval completely obviates local IRB approval
- At any rate, IRB violations do not constitute academic misconduct
- See my reply to the Provost's letter, sent last Tuesday

# The HPDF and “Unauthorized Research Funding”

- The committee can't cite a rule or policy that I violated regarding HPDF
- CSU should figure out what the violation is before firing me
- Conversely, the committee invents “unauthorized research funding” as a new policy they think I violated.
- Violating no policy but an invented one cannot be cause to fire me
- I am open to hearing how I am wrong here, and to correcting things (e.g., reimbursement) if appropriate

# Given the entirety of the investigation so far...

- Removing my tenure could do more harm to CSU than to even me
- It is obvious CSU's burden has not been met
- This should end it, but that requires a reasonable understanding of what happened here
- Please note that unless an issue relates directly to the committee's four formal charges of academic misconduct against me, it is irrelevant to this investigation
- I implore committee members to peruse my "Reply to the Provost's Letter"
- In sum: *I swear I did not intentionally, knowingly, or recklessly do anything the committee claims I did.*

I am happy to answer any questions  
anyone may have.